



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian N. Tufte Confirmation No.: 9076

Serial No.: 10/074,364 Examiner: Negron, Ismael

Filing Date: February 12, 2002 Group Art Unit: 2875

For: **ELONGATED ILLUMINATION DEVICE**

Docket No.: 1076.1101104

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 C.F.R. 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 30th day of September, 2004.

By: Brian N. Tufte

Dear Sir:

The Examiner's Statement of Reasons for Allowance accompanying the Notice of Allowability mailed on July 29, 2004 does not appear to be very concise or comprehensive. The Examiner states that no prior art was found teaching individually, or suggesting in combination, all of the features of the application's invention, specifically the elongated member for receiving a light source, such member having a cavity formed in part by the first material and extending to two or more portions of the outer surface of the elongated member, such portions being separated from one another by the second material; the elongated member is formed as a single piece; or the light source providing non-interrupted continuous illumination along at least a major length.

Application No. 10/074,364
Comments on Statement of Reasons for Allowance
Confirmation No. 9076

Notable, claim 1 does not recite some of the limitation listed by the Examiner including, for example, that the elongated member is formed as a single piece, or that the light source provides non-interrupted continuous illumination along at least a major length.

Likewise, claim 11 does not recite some of the limitations listed by the Examiner including, for example, a cavity that is formed in part by a first material that extends to two or more portions of the outer surface of the elongated member, or a light source that provides non-interrupted continuous illumination along at least a major length. Independent claims 12 and 29 also do not recite many of the limitations listed by the Examiner.

In view of the foregoing, Applicant believes that the Examiner did not intend to provide a complete analysis or listing of reasons of why each and every claim is allowable over the prior art. The Examiner did state that claims 1, 2, 4-6 and 9-31 are allowed over the prior art. Thus, the Examiner must have concluded that the claims as allowed are patentable over the prior art, and not necessarily for those reasons summarized in the Examiner's Statement of Reasons for Allowance. Applicant respectfully request clarification if the Examiner does not agree with this statement.

Also, in paragraph 1 of the Notice of Allowability, the Examiner states that claims 1, 2, 4-6 and 11-31 remain pending, and in paragraph 2, the Examiner states that claims 1, 2, 4-6 and 11-31 are allowed. Applicant believes this to be in error because claims 9-10 should not have been excluded in the listing of claims. On the Notice of Allowability form (PTOL-37), the Examiner indicates that claims 1, 2, 4-6 and 9-31 were allowed, which appears to be correct.

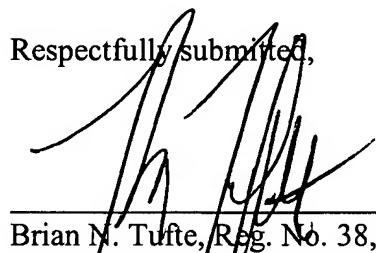
Application No. 10/074,364
Comments on Statement of Reasons for Allowance
Confirmation No. 9076

Applicant believes that claims 1, 2, 4-6 and 9-31 are still pending in the application and are allowed. Applicant respectfully request clarification if the Examiner does not agree with this statement.

Dated:

September 30, 2004

Respectfully submitted,



Brian N. Tufte, Reg. No. 38,638
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2402
Telephone: (612) 677-9050
Facsimile: (612) 359-9349



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian N. Tufte Confirmation No.: 9076

Serial No.: 10/074,364 Examiner: I. Negron

Filing Date: February 12, 2002 Group Art Unit: 2875

For: ELONGATED ILLUMINATION DEVICE

Docket No.: 1076.1101104

TRANSMITTAL SHEET

Mail Stop Issue Fee
Assistant Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 C.F.R. 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this 30th day of September, 2004.

By: Brian N. Tufte

We are transmitting herewith the attached.

- Part B - Fee(s) Transmittal
- Comments on Statement of Reasons For Allowance
- A check in the amount of \$ 965.00 for the Issue Fee & Publication Fee.
- Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

Brian N. Tufte, Reg. No. 38,638
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2402
Telephone: (612) 677-9050
Facsimile: (612) 359-9349